

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

(1) KENNETH TUROCZI and)
(2) TYRENE TUROCZI,)
)
Plaintiffs,)
)
vs.) Case No. 5:23CV-00095-JD
)
)
(1) TRAVELERS COMMERCIAL)
INSURANCE COMPANY.)
)
Defendant.)

PLAINTIFFS' FORMER COUNSEL'S RESPONSE TO ORDER, DKT. # 31

Comes Now undersigned former counsel for Plaintiffs (hereafter "Respondent") and pursuant to the Court's Order in Dkt. # 31 in the above-entitled and numbered cause, responds of record to the Court's stated conditions as directed to him. The reason for making this a formal response of record is so that all interested parties will be immediately advised with his acceptance of service hereinafter, as stated in the Court's order, and to not thereby interrupt the case's progress. Respondent will again further affirm that he will cooperate with any new counsel, or themselves *pro se*, in any reasonable manner.

Next, in accordance with Dkt. # 31, n. 1, if and for so long as Plaintiffs or either of them elect to appear *pro se*, they and each of them so appearing be instructed to act in accordance with ABA Model Rules of Professional Conduct or any local rule governing attorney conduct in the administration of an ongoing litigation. Respondent has already been subjected to several vitriolic responses after he had replied to Plaintiffs' request for certain document(s) return and with which requests he was simply trying to comply.

Going forward and because of such conduct Respondent has recently been subjected to, he would respectfully request appointment of a person(s) not a member of Plaintiffs' family, who could receive any such documents or papers directly from former counsel and transport them to Plaintiffs. Mr. and/or Mrs. Don McNabb, who were until recently nearby neighbors of former counsel, but who are also acquainted with and friendly to Plaintiff Kenneth Tyroczi and his son, Koston, and who have previously been hired by the Mc Knabbs, would be such a viable intermediary(s).

Meanwhile, Respondent will forward the required documents, including Dkt. # 31's Order, immediately to Plaintiffs' Newalla OK residence address. If this attempted compliance with the Order is lacking in any way, please advise.

Respectfully submitted.

/s / Gary W. Gardenhire
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Norman, OK 73072
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CERTIFICATE OF SERVICE AND REQUIRED NOTICE

I hereby certify that on June 9, 2023, a true and correct copy of the above and foregoing document was served upon the following defense counsel via the Court's electronic system, electronic mail, and/or U.S. Mail, postage prepaid thereon to:

Sara E. Potts,
104 210 Park Avenue,
Doerner, Saunders, Daniel, et al
Suite 1200
Oklahoma City, OK 73102

-and-

Michael S. Linscott and
Alexandra J. Gage,
Williams Center Tower II
2 West Second Street, Suite 700
Tulsa, OK 74103-3117

*Attorneys for Defendant
Travelers Commercial Insurance
Company*

I further swear that a notification of the above former Counsel's Response to the Dkt. # 31 Order and a separate copy of the Court's Dkt. # 31 Order, itself, was on the same date furnished to Plaintiffs, addressed to their electronic notices of record:
bigbob@gmail.com and **turoczishad@gmail.com.**

/s/ Gary W. Gardenhire
Gary W. Gardenhire,
Responding Former Counsel